



Notice of Allowability

Application No.

09/824,119

Examiner

Audrey Y. Chang

Applicant(s)

HODGSON ET AL.

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to appeal brief filed on January 20, 2004.
2. ☒ The allowed claim(s) is/are 1 and 3-30.
3. ☒ The drawings filed on 02 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Audrey Y. Chang
Primary Examiner
Art Unit: 2872

REASONS FOR ALLOWANCE

Remark

- This Office Action is in response to the appeal brief filed by the applicant on January 20, 2004 and the amendment filed after final rejection on January 20, 2004.
- By this amendment, the applicant has amended claims 1,4, 10-12, 21, and 22. Since the nature of the amendment is to correct typographical errors and does not change the scopes of the claims, the amendment will be entered. (*The applicant however is respectfully advised that the claims listed in the appendix of the appeal brief **should** be the finally rejected claims and not the proposed- amended claims*).
- Claims 1 and 3-30 remain pending in this application.

Response to Arguments

1. Applicant's arguments, see appeal brief, filed January 20, 2004, with respect to the rejections under 35 USC 112, first and second paragraphs, have been fully considered and are persuasive.

The rejections of claims 1 and 3-30 under 35 USC 112, first paragraph and second paragraph, are **withdrawn** in response to applicant's **lengthy** explanation and interpretations of the claim language in the appeal brief, (pages 10-19). With regard to the term "**signal designation on the return fiber lines**", the specification fails to provide an explicitly definition for this term to mean "detector", yet as demonstrated by the Figure 1 of the specification, the term "signal designation on the return fiber lines" is identified as the "**processing electronics**".

Reasons For Allowance

2. The following is an examiner's statement of reasons for allowance: of the prior art references considered and in view of the arguments provided by the applicant in the appeal brief, none has disclosed

Art Unit: 2872

a sensor array having m distribution fiber lines, n return fiber line and z sensor groups, wherein each of the sensor groups comprises y sensors and input and output couplers being connected to the sensors, distribution fiber lines and the return fiber lines in the manners set forth in the claims, wherein the coupling ratios for the input couplers and output couplers are determined by the schemes explicitly stated in the claims. As indicated in the specification and in the different embodiments claimed, the number of distribution fiber lines (m) is 6 and the number of return fiber lines (n) is 16 and the number of sensor groups (z) could be 16 with the number of sensors (y) in each group being 6 or the number of sensor groups (z) is 8 with the number of sensors (y) in each group being 12.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Audrey Y. Chang whose telephone number is 571-272-2309. The examiner can normally be reached on Monday-Friday (8:00-4:30), alternative Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

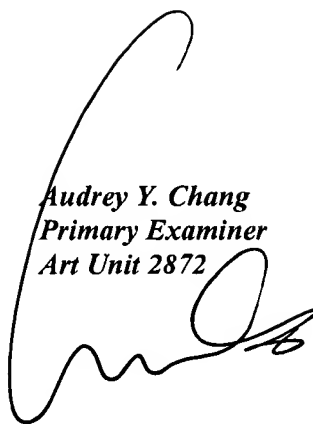
Application/Control Number: 09/824,119

Art Unit: 2872

Page 4

A. Chang, Ph.D.

Audrey Y. Chang
Primary Examiner
Art Unit 2872

A large, stylized handwritten signature in black ink, which appears to be 'Audrey Y. Chang', is written over the printed name and title.